

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY

&

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

WP(C) .No. 4304 of 2007(K)

PETITIONER:

P.P.VARGHESE, AGED 55, S/O. PAILY,
PUTHUVA HOUSE, OORAKKADU KARA,
KIZHAKKAMBALAM VILLAGE, KUNNATHUNADU TALUK.

BY ADV. SRI.V.RAJENDRAN (PERUMBAVOOR)

RESPONDENTS:

1. STATE OF KERALA, REP. BY
SECRETARY HOME AFFAIRS, SECRETARIAT,
THIRUVANANTHAPURAM.
2. CIRCLE INSPECTOR OF POLICE,
PERUMBAVOOR.
3. SECRETARY,
VENGOLA GRAMA PANCHAYAT.
4. M.K.AZEEZ,
MUNDACKAL HOUSE, PONJASSERY P.O.,
PERUMBAVOOR.
5. SIVAN AYYAPPAN,
AYATHUKUDY HOUSE, PONJASSERY, VAZHAKULAM.
6. JOY PATHROSE,
NEELANKAL HOUSE, WEST VENGOLA, ARACKAPPADY.

ADDL.RESPONDENTS 7 TO 9:

7. THE DISTRICT COLLECTOR, ERNAKULAM,
CIVIL STATIONL KAKKANAD.
8. GEOLOGIST, DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE, CIVIL STATION, KAKKANAD,
ERNAKULAM.

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9. THE JOINT CHIEF CONTROLLER OF EXPLOSIVES,
SOUTH CIRCLE, CHENNAI - 8.

ADDL.RESPONDENTS 7 TO 9 ARE IMPEADED AS PER ORDER
DATED 14.2.2007 IN I.A.NO.2349/2007.

BY ADV. SRI.SIRAJ KAROLY
SRI.C.K.ABDUL RAHIM
SRI.JOHN VARGHESE, ASSISTANT SG
GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 19/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF QUARRYING LEASE NO.1492 DATED 25.2.2004 FROM THE GEOLOGIST, DEPARTMENT OF MINING AND GEOLOGY, ERNAKULAM.

EXT.P2: COPY OF RESOLUTION NO.III(2) DATED 14.6.2006.

EXT.P3: COPY OF THE LICENCE NO.A-135/06.

EXT.P4: COPY OF THE LICENCE NO.A-137/06.

EXT.P5: COPY OF THE LETTER BEARING NO.23092/A3/05/IND. DATED 28.10.2005.

EXT.P6: COPY OF THE COMPLAINT DATED 23.1.2007.

/TRUE COPY/

J.B. KOSHY and T.R.RAMACHANDRAN NAIR, JJ.

W.P. (C) .No.4304 of 2007 (K)

Dated this the 19th day of March, 2007

JUDGMENT

KOSHY, J.

This is a petition for police protection. An interim order was passed on 13.3.2007. The above interim order is as follows:

"This is a petition for police protection. If the petitioner has got all the required licenses and he is doing the work strictly as per the licenses, police shall give adequate protection unless there are prohibitory orders issued by civil court or statutory authorities."

We make the above interim order dated 13.3.2007 absolute and also direct the police to check whether there are all required licenses and petitioner is doing the work strictly as per the license conditions. With the above directions this writ petition is disposed of.

**J.B.KOSHY
JUDGE**

**T.R.RAMACHANDRAN NAIR
JUDGE**

**J.B. KOSHY AND
T.R.RAMACHANDRAN NAIR, JJ.**

W.P. (C) No./2007

Judgment

Dated:2nd March, 2007